

December 4, 2023

BY ECF

The Hon. Eric Komitee
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: U.S. v. Karony, et al. (No. 23-CR-433)

Dear Judge Komitee:

On behalf of our client, Braden John Karony, we respectfully write to request that the Government be directed to arrange for Mr. Karony to participate by telephone in the conference scheduled in this case for Wednesday, December 6, 2023, at 12:00 p.m. Mr. Karony remains in federal custody in the Salt Lake City Metro Jail, where he has been detained since his arrest on October 31, 2023.

On November 13, 2023, Your Honor conducted a telephonic bail application hearing and, at the conclusion, did not grant Mr. Karony's release but indicated a willingness to consider a stronger bail package, such as one including co-signers, upon his removal to the Eastern District of New York. In the three weeks since then, Mr. Karony has not been transported by the Government to the Eastern District of New York.

In response to a letter submitted on behalf of Mr. Karony on November 22, 2023, seeking to revisit bail conditions, Your Honor directed on November 28, 2023, that Mr. Karony present his new bail package to a magistrate judge on duty in the first instance. See ECF No. 21. Mr. Karony made that application today, see ECF No. 28; the proposed bail package includes two co-signers (Mr. Karony's parents), and Mr. Karony currently awaits the scheduling of a bail hearing before the magistrate judge.

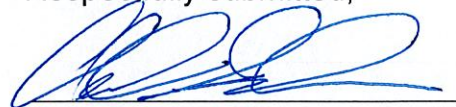
In connection with the conference scheduled before Your Honor for Wednesday December 6, 2023, counsel for Mr. Karony requested that the Government confirm that it would arrange for Mr. Karony to participate by telephone. The Government indicated that Mr. Karony has no right to participate in the conference before Your Honor because

he has not yet made an appearance or been arraigned in this District, but that the Government has no objection to a request that he be allowed to participate by telephone.

The ongoing detention by Mr. Karony in Utah over the last five weeks continues to prejudice his ability to defend himself against the Government's charges in multiple respects. Mr. Karony cannot consult with counsel regarding his defense given the limitations placed on calls from the Utah facility; Mr. Karony cannot renew his bail application in person in the Eastern District of New York but only telephonically; and the Government now adopts the position that, due to his continuing detention in Utah, Mr. Karony does not possess the right to appear at Your Honor's status conference in this case.

We respectfully request that the Court order the Government to arrange for Mr. Karony's participation by telephone at the status conference on Wednesday, December 6, 2023.

Respectfully submitted,



Adam H. Schuman
Caelyn Stephens